IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 24218 of 2004

Between:

M. Baquder Hussain Shaz, S/o. Late Mohd. Ibrahim Hussain,
Mission, R/o. 22-70269/88, First Floor, Salrjung Complex,
Diwan Deodi, Hyderabad-2.

..... PETITIONER

AND

1 Government of A.P., rep. by the Chief Secretary, Secretariat,

Hyderabad.
2 Minorities Welfare Department Rep. by the Principal Secretary,
Secretariat, Hyderabad.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ or direction for the formation of commissionerate with full staff and other recommendation of the House Committee of A.P. Legislature on Wakf Properties for the protection and safety of all Wakf-Properties in the state of A.P. and to pass such appropriate writ or direction or other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

Counsel for the Petitioner: MR.K.ASHOK REDDY

Counsel for the Respondent No.: GP FOR SOCIAL WELFARE

The Court at the stage of admission made the following :

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ORAL ORDER: (Per the Hon'ble the Chief Justice)

On the very first date when the writ petition came up for consideration, which is purported to have been filed as public interest litigation seeking a writ of Mandamus against the respondents for formation of a Commissionerate with full staff and other recommendations of the House Committee of A.P.Legislature on Wakf Properties for the protection and safety of all wakf properties in the State of Andhra Pradesh, the Bench noticed that prima facie, no relief can be granted in such like writ petitions and writ petition would not be maintainable for such a relief.

The petitioner is seeking to have the alleged recommendations of the House Committee of the A.P.Legislative Assembly on Wakf Properties enforced. Thereafter, there had been three adjournments in this case on the request of the learned counsel for the petitioner to satisfy about the maintainability of the writ petition. Again there is a request for adjournment today on the same ground.

The very writ petition for the relief to enforce the report of the House Committee is mis-conceived and is not maintainable. The writ petition is accordingly dismissed. No costs.

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DEVINDER GUPTA, CJ

Dated 10.02.2005

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B.SESHASAYANA REDDY,J

msv.

To

1 The Chief Secretary, Government of Andhra Pradesh, Secreatariat,

Hyderabad.

2 The Principal Secretary, Minorities Welfare Department
Secretariat, Hyderabad.

3 2 CCs to the Government pleader for Social Welfare, High Court of A.P,
Hyderabad (OUT)

4 2 CD copies.